

Remarks

Claims 1, 6, 11 and 16 are amended herein. Claims 1-16 are pending in the Application.

Rejection under 35 USC 112

Claims 1-16

In the Office Action, the Examiner rejected Claims 1-16 under 35 USC 112, first paragraph, as failing to comply with the written description requirement. The Examiner has stated that the feature determining a delay offset "without requiring a measurement of a boundary delineating the individual bits of data" cannot be found described in the specification, as filed.

Applicant has amended Claims 1, 6, 11 and 16 and respectfully disagrees that the Claimed features are not supported in the present Application as filed. Applicant respectfully directs the Examiners attention to paragraph [0004] of the prior art description clearly stating the individual bits of data delineated by a boundary. Embodiments of the boundary are well known in the art and Applicant understands them to be described and utilized in prior art references such as Taussig beginning of the data sequence t_0 .

Moreover, Applicant respectfully points out that Figure 2 clearly delineates the three references (e.g., the wobble reference signal, the read clock of previously recorded data and the test data) utilized in the present method for synchronizing newly recorded data with previously recorded data which are described in detail beginning with Paragraph [0023] and beyond including paragraph [0037].

Therefore, Applicant respectfully states the rejection under 35 USC 112 first paragraph with respect to Independent Claims 1, 6, 11 and 16 is overcome. Moreover, Applicant respectfully states that Claims 2-5, 7-10, 12 and 13 are dependent on Independent Claims 1, 6 and 11 and recite further features of the

Claimed invention. Therefore, Claims 1-16 overcome the rejection under 35 USC 112 first paragraph.

Applicant respectfully states that Claims 1-16 are now in condition for allowance.

Rejection under 35 USC 112

Claims 1-16

In the Office Action, the Examiner rejected Claims 1-16 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Examiner has stated that the feature “only three measurements”, “only three signal measurements” and “three signal measurements” are unclear because as claimed, two “measurements” are founded.

Applicant has amended Claims 1, 6, 11 and 16 and respectfully states that the amended independent Claims now clearly delineate the three references (e.g., the wobble reference signal, the read clock of previously recorded data and the test data) utilized in the present method for synchronizing newly recorded data with previously recorded data which are described in detail beginning with Paragraph [0023] and beyond including paragraph [0037].

In the Office Action, the Examiner further rejected Claims 1, 6, 11 and 16 under 35 USC 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. The Examiner has stated that the omitted steps are the steps involved with “only three measurements”, “only three signal measurements” and “three signal measurements”.

Applicant has amended Claims 1, 6, 11 and 16 and respectfully states that the amended independent Claims now clearly delineate the three references

(e.g., the wobble reference signal, the read clock of previously recorded data and the test data) utilized in the present method for synchronizing newly recorded data with previously recorded data which are described in detail beginning with Paragraph [0023] and beyond including paragraph [0037].

In the Office Action, the Examiner further rejected Claims 1, 6, 11 and 16 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Examiner has stated that the feature “the individual bits of data” is ambiguous because it is indefinite what the “data” is as claimed.

Applicant respectfully states that the independent Claims 1, 6, 11 and 16 utilize the feature “boundary delineating any individual bits of data”. Furthermore, Applicant respectfully disagrees that the Claimed boundary feature is ambiguous. Applicant respectfully states that the specification clearly defines the boundary delineating any individual bits of data. Applicant respectfully directs the Examiners attention to paragraph [0004] of the prior art description clearly stating the individual bits of data delineated by a boundary. Embodiments of the boundary are well known in the art and Applicant understands them to be described and utilized in prior art references such as Taussig beginning of the data sequence t_0 .

In the Office Action, the Examiner further rejected Claims 1, 6, 11 and 16 under 35 USC 112, second paragraph, as having insufficient antecedent basis. Applicant has amended Claims 1, 6, 11 and 16 to overcome the antecedent basis rejections.

Therefore, Applicant respectfully states the rejection under 35 USC 112 second paragraph with respect to Independent Claims 1, 6, 11 and 16 is overcome. Moreover, Applicant respectfully states that Claims 2-5, 7-10, 34 and

12-15 are dependent on Independent Claims 1, 6 and 11 and recite further features of the Claimed invention. Therefore, Claims 1-16 also overcome the rejection under 35 USC 112 second paragraph.

Applicant respectfully states that Claims 1-16 are now in condition for allowance.

Rejection under 102(e)

Claims 1-15

In the Office Action, the Examiner rejected Claims 1-15 under 35 USC 102(e) as being anticipated by Taussig (6,636,467). Applicant has reviewed Taussig and respectfully states that Taussig does not anticipate the present invention for the following rationale.

Applicant respectfully states that Claims 1, 6, 11 and 16 include the feature “such that an appropriate delay offset is calculated utilizing only said wobble reference signal, said read clock of previously recorded data and said test data without requiring utilization of a boundary delineating any individual bits of data.” Support for the Claimed feature can be found throughout the Figures and Specification including Figures 2 and 3 and the descriptions thereof.

Applicant respectfully disagrees that Taussig anticipates the feature of Claims 1, 6, 11 and 16. Applicant understands Taussig to teach a method for determining a delay offset by utilizing a four-measurement method. That is, Applicant understands Taussig to teach finding the delay offset by measuring t_0 -the beginning of the data sequence (e.g., head passes address marker 630), t_1 -the change in oscillating signal (wobble), t_2 -the beginning of the data sequence, and t_3 -the data channel begins to output an oscillating signal. Applicant understands the equation utilized by Taussig to be stated as measured offset 655 $(t_3-t_1)=(t_2-t_0) + (t_3-t_2)-(t_1-t_0)$.

While Applicant understands the teachings of Taussig to be an effective and valuable method for measuring offset, Applicant does not understand Taussig to anticipate the method for performing the same measurement using three reference signals instead of using four reference signals. Thereby clearly reducing the size of the equation by one term. Moreover, as is clearly stated in the Claim features of Claims 1, 6, 11 and 16, Taussig does not anticipate the utilization of the wobble reference as the starting point for the measuring process. Instead, Applicant understands Taussig to clearly show that the measuring begins at the known point of address marker 630.

For example, the equation of the present invention utilizes three variables: **twb**-the wobble reference signal, **tro**-the read clock from the old (previously recorded) data, and **trn**-the read clock from the newly written data (the test data). As is stated in the Claims, the equation for the measured offset **dtw** is then calculated using the three-term equation $(trn - tro) = (twb - tro) - (twb - trn)$. This is clearly supported in Figure 2 and the Specification of the present Application.

Therefore, Applicant respectfully submits that Taussig does not anticipate the present claimed invention as recited in Claims 1, 6 11 and 16, and as such, Claims 1, 6, 11 and 16 are in condition for allowance. Accordingly, Applicant also respectfully submits that Taussig does not anticipate the present claimed invention as recited in Claims 2-5 which are dependent on an allowable Independent Claim 1, Claims 7-10 which are dependent on an allowable Independent Claim 6, and Claims 12-15 which are dependent on an allowable Independent Claim 11, and that Claims 2-5, 7-10 and 12-15 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 2-5, 7-10 and 12-15 are allowable as pending from allowable base Claims.

Conclusion

In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 1-16.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,
Wagner, Murabito & Hao LLP

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John P. Wagner, Jr.
Reg. No. 35,398

Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060